



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of:

David S. MILLER

Application No.: 09/776,707

Confirmation No.: 5703

Filed: February 6, 2001

For: SYSTEM FOR COLLECTING
TAX DATA (As Amended)

Art Unit: 3623

Examiner: M. Irshadullah

Attorney Docket No. 31921-169140

Customer No.

26694

Comments on Statement of Reasons for Allowance

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Statement of Reasons for Allowance accompanying the Notice of Allowability mailed July 30, 2003, the Applicant provides the following comments on the Statement of Reasons for Allowance. The comments are provided so as to deter any unwarranted interpretations of the claims. See M.P.E.P. § 1302.14.

First, as per claims 21, 26, and 50, in the Notice of Allowability on page 2 in section 4, the Examiner states that the prior art does not “teach or suggest: a taxpayer providing the information about tax data providers to an electronic intermediary” (emphasis added). However, this limitation is not recited in any of the three independent claims and is not required by the prior art. The claimed invention does not require that the taxpayer provide any information about tax data providers to the electronic intermediary. Instead, the claimed invention recites the collecting electronically tax data from the tax data provider, and the Examiner’s comments are not to be used to interpret claims 21, 26, and 50.

Second, as per claims 21, 26, and 50, in the Notice of Allowability on page 2 in section 4, the Examiner states that the prior art does not “teach or suggest:... the intermediary via electronic connections directly gathering (collecting) the tax data relating to the taxpayer” (emphasis added). However, this limitation is not recited in any of the three independent claims and is not required by the prior art. Instead, the claimed invention includes that the tax data can be collected directly and/or indirectly, and the Examiner’s comments are not to be used to interpret claims 21, 26, and 50.

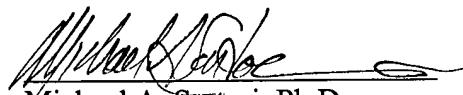
Third, as per claims 21, 26, and 50, in the Notice of Allowability on page 2 in section 4, the Examiner relies on discussion of the invention in the specification on page 9, line 14, to page 10, line 2. The specification on page 9, lines 14-16, references the term “taxpayer.” The term “taxpayer,” however, is not recited in claims 21, 26, and 50. Hence, this aspect of the invention is not to be used to interpret claims 21, 26, and 50.

Fourth, as per claims 21, 26, and 50, in the Notice of Allowability on page 2 in section 4, the Examiner relies on the remarks filed March 5, 2003 on page 8, line 25, to page 9, line 3, and on page 9, lines 10-14. These remarks, however, are directed to claim 27, and not claims 21, 26, and 50. Claim 27 was cancelled by the Examiner’s Amendment accompanying the Notice of Allowability. Hence, these remarks are not to be used to interpret claims 21, 26, and 50.

THEREFORE, it is requested that the Examiner's Statement of Reasons for Allowance does not place any unwarranted interpretations on the claims.

Respectfully submitted,

Date: August 19, 2003



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